

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BRUNSWICK GMBH,)
)
)
Plaintiff,)
)
)
v.) Case No. 07-471 (JFF)
)
)
BOWLING SWITZERLAND, INC.,)
)
)
Defendant.)

**MOTION FOR EXTENSION OF TIME TO
ANSWER, MOVE, OR OTHERWISE RESPOND TO THE COMPLAINT**

On July 30, 2007, plaintiff Brunswick GMBH (“Brunswick”) filed its Complaint (D.I. 1) in this action. The Summons was issued on August 8, 2007; and, the Summons and Complaint were served on the registered agent of defendant Bowling Switzerland, Inc. (“Bowling Switzerland”) on August 18, 2007. Bowling Switzerland’s response to the Complaint was originally due on or before September 6, 2007. Although Bowling Switzerland requested a 30 day extension to respond to the Complaint for the reasons set forth below, Brunswick only agreed to two short extensions – first until September 13, 2007 (D.I. 4) – and next until today (September 21, 2007) (D.I. 6). Bowling Switzerland has requested one final extension of time to respond to the Complaint until September 28, 2007, again for the reasons set forth below. Brunswick has refused to consent to such an extension. As a result, by this motion, Bowling Switzerland seeks an extension of time to answer, move or otherwise respond to the Complaint until September 28, 2007 on the following grounds:

1. Bowling Switzerland’s principal place of business is located in Nyon, Switzerland, as are many of the individuals with information or knowledge of the allegations in

the Complaint. Similarly, most, if not all, of the documents relating to this dispute are located in Switzerland or Germany. Many of these documents are not in English.

2. Bowling Switzerland's lead counsel - Schmidt, Jaton & Associés, Avocats – is located in Geneva, Switzerland.

3. The undersigned counsel, who was not retained until shortly before the first stipulation (D.I 4) was filed, has been working diligently with co-counsel to prepare a responsive pleading to the Complaint. As a result of the factors set forth in the preceding paragraphs, however, Bowling Switzerland is still formulating its response to the Complaint and respectfully requests a one-week extension to file such pleading.

WHEREFORE, Bowling Switzerland respectfully requests this Court enter an order in the form filed herewith extending the time for Bowling Switzerland to answer, move or otherwise respond to the Complaint up to and including September 28, 2007.

CONNOLLY BOVE LODGE & HUTZ LLP

/s/Arthur G. Connolly, III
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Dated: September 21, 2007

CERTIFICATION PURSUANT TO LOCAL RULE 7.1.1

I hereby certify that counsel for Bowling Switzerland, Inc., defendant in this action, contacted counsel for plaintiff regarding their position on the motion. Counsel for plaintiff stated that plaintiff is opposed to the motion.

s/Arthur G. Connolly, III
Arthur G. Connolly, III (#2667)

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ORDER

WHEREAS, defendant Bowling Switzerland, Inc. ("Bowling Switzerland") has moved this Court for an order extending the time for Bowling Switzerland to answer, move or otherwise respond to the Complaint up to and including September 28, 2007; and, the Court having found there is good cause to grant such motion.

IT IS HEREBY ORDERED this _____ day of _____, 2007 that the time within which defendant Bowling Switzerland, Inc. shall answer, move or otherwise respond to the Complaint is extended up to and including September 28, 2007.

United States District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 21, 2007, the foregoing document was served on the following counsel of record in the manner indicated below:

Via CM/ECF and Hand Delivery

William D. Sullivan, Esquire

William D. Sullivan, LLC

4 East 8th Street, Suite 400

Wilmington, DE 19801

Via Electronic Mail

David P. Vallas, Esq.

Wildmann Harrold

225 West Wacker Drive

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Chicago, IL 60606

/s/Arthur G. Connolly, III
Arthur G. Connolly, III (#2667)

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